

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**MARK ALBRECHT, et al.,**

Plaintiffs,

v.

**BRIAN TREON, M.D., et al.,**

Defendants

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Case No. 1:06cv274

DISTRICT JUDGE SUSAN J. DLOTT

**ORDER STAYING CASE AND  
DENYING MOTIONS WITHOUT  
PREJUDICE TO REILING**

Pending before the Court are numerous motions, including Plaintiffs' Motion to Certify a Class (doc. 2), interested parties' Motions to Quash (docs. 35, 42, 47, 50, and 51), and Defendants' and interested parties' Motions to Stay Discovery (docs. 37, 39, 44, 47, 48, 50, and 52). Since the filing of these motions, this Court has certified a question to the Supreme Court of Ohio which is potentially dispositive of the case. The U.S. Supreme Court supports staying a case in federal district court under such circumstances. *Louisiana Power & Light Co. v. City of Thibodaux*, 360 U.S. 25, 27 (1959) ("We have increasingly recognized the wisdom of staying actions in the federal courts pending determination by a state court of decisive issues of state law."); *see also Clay v. Sun Ins. Office Limited*, 363 U.S. 207, 212 (1960) ("We have frequently deemed it appropriate, where a federal constitutional question might be mooted thereby, to secure an authoritative state court's determination of an unresolved question of its local law."). Accordingly, the Court stays this case and denies all pending motions without prejudice to reiling upon the Court's lifting of the stay.

IT IS SO ORDERED.

\_\_\_\_s/Susan J. Dlott\_\_\_\_  
Susan J. Dlott  
United States District Judge